IN THE HIGH COURT OF JUDICATURE OF BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 6911 OF 2002

The Nasik District Central Co-op.
Bank Limited .. Petitioner

versus

Mr.Pruthviraj N. Kor & ors. .. Respondents

...

Mr.N.N. Bhadrashete for the petitioner.

CORAM : D.G.KARNIK, J

DATED : 23rd April 2007.

P.C.:

1. Heard.

2. By this petition, the petitioner challenges the judgement and order dated 31st July 2002 passed by the Maharashtra State Co-operative Appeal Court condoning the delay in filing of an appeal against the order of the Co-operative Court Nashik passed in Case no.ABN No.1500 of 1999.

3. The appellate court has recorded a finding of fact that there was sufficient cause for condonation of the delay. Whether there was a sufficient cause for condonation of delay or not is a question of fact and no perversity in the finding of fact recorded by the appeal court is seen. In the circumstances, this is not a fit case for exercise of a writ jurisdiction. Accordingly, Writ Petition is rejected summarily.

(D.G. KARNIK, J)